

**FOR IMMEDIATE RELEASE**  
**TUESDAY, MARCH 27, 2007**

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## **L.A. CITY ATTORNEY ROCKY DELGADILLO SECURES SETTLEMENT TO REMOVE LEAD FROM SOFT DRINKS**

**LOS ANGELES** – Los Angeles City Attorney Rocky Delgadillo today announced that soft drink manufacturer Dr. Pepper/Seven-Up, Inc. has agreed to eliminate leaded labels from its bottled Squirt and Crush beverages imported from Mexico. The agreement resolves allegations raised last year by the City Attorney and former Attorney General Bill Lockyer that the company violated California's Proposition 65 by failing to warn consumers that the bottles' labels contained lead.

"Lead is dangerous, and, sadly, it is pervasive in our poor and minority communities," said Delgadillo. "This important agreement means that we have put an end to another source of lead in our neighborhoods, and won another battle in our larger war on lead. Let this be a warning to those companies who continue to sell products containing lead — we will be vigilant in protecting the health of our residents."

The agreement, signed late last week in Los Angeles County Superior Court, calls for Dr. Pepper/Seven-Up, Inc. to immediately shift to lead-free labels on new bottles for products produced in Mexico. Additionally, Dr. Pepper/Seven-Up, Inc. will take existing lead-painted bottles out of circulation within seven years.

Under the terms of the settlement, Dr. Pepper/Seven-Up, Inc. is required to pay \$600,000 in penalties, including \$120,000 to fund surveillance activities to keep old Mexican-manufactured bottles out of California and \$100,000 to Children's Hospital Los Angeles for projects involving treatment or prevention of cancer or reproductive harm. Dr. Pepper/Seven-Up, Inc. will also pay \$130,000 in reimbursement for investigative costs and attorneys' fees.

A joint investigation by the City Attorney and Attorney General found actionable levels of lead in the product under Prop. 65. Testing showed the lead from the label could rub off onto hands, creating a "hand-to-mouth" pathway for exposure. Investigators believe lead from the labels sometimes made its way into the beverage during the washing process. Bottles with lead on the labels are sold throughout California.

The settlement with Dr. Pepper/Seven-Up, Inc. follows a \$1 million settlement in April 2006 secured by Delgadillo and then-Attorney General Bill Lockyer with PepsiCo Inc. over similar lead allegations. Delgadillo's pioneering Environmental Justice Unit has also worked closely to ensure compliance with Mars and Hershey over the manufacture of Mexican candies to establish best practices to eliminate lead traces in all products imported and sold in California.

Since 1992, lead has been on the list of chemicals known to cause cancer. Since 1997, lead has been on the Governor's list of chemicals that cause reproductive harm and birth defects. Exposure to lead occurs chiefly from ingestion, such as eating or putting objects into the mouth, which puts young children at greater risk of exposure. Impacts include birth defects, learning disabilities, hearing loss, reduced attention span, and behavioral abnormalities. Teenagers also may suffer adverse effects, which may include brain damage, kidney damage, hearing loss, impaired growth, and delayed onset of puberty.

No level of lead consumption, no matter how small, is deemed safe by the scientific community.

In addition to phasing out leaded labels in its Mexican-bottled product, Dr. Pepper/Seven-Up, Inc. has agreed to hire a food processing auditor to audit its returnable bottling facilities to help eliminate the risk of lead integration into bottles. The company will also conduct comprehensive sweeps of retail outlets in California in order to ensure that sales of Mexican-manufactured Dr. Pepper/Seven-Up, Inc. products are discontinued. Letters will be sent to California retailers and distributors known by Dr. Pepper/Seven-Up, Inc. to have sold Mexican Dr. Pepper/Seven-Up, Inc. products in the last two years.

Passed overwhelmingly by California voters more than 20 years ago, Proposition 65, the Safe Drinking Water and Toxic Enforcement Act of 1986, is a powerful tool in state and local agencies' efforts to protect the public from toxic chemicals present in food.

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